

Part 1 of 2



**Board of Commissioners of Cook County
Minutes of the Law Enforcement Committee**

Wednesday, July 13, 2016

8:15 AM

**Cook County Building, Board Room, 569
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski (7)

PUBLIC TESTIMONY

Vice Chairman Silvestri asked the Secretary to the Board to call upon the registered public speakers, in Accordance with Cook County Code.

1. Rich Shore, Burbank Police Chief

16-4311

COMMITTEE MINUTES

Approval of the minutes from the meeting of 5/10/2016

A motion was made by Chairman Moore, seconded by Commissioner Tobolski, that this Committee Minutes be approved. The motion carried by the following vote:

Aye: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski (7)

16-4141

Sponsored by: STANLEY MOORE and LUIS ARROYO JR, County Commissioners

PROPOSED RESOLUTION

RESOLUTION TO URGE THE UNITED STATES CONGRESS TO PROVIDE FREE BURIAL OF

Part 1 of 2

SPOUSES AND DEPENDENTS OF VETERANS AT ALL VETERAN CEMETERIES

WHEREAS, in 1862 President Lincoln signed into law language that created the first National Cemeteries for Civil War soldiers who died while in service to the United States; and

WHEREAS, in 1867 Congress provided guidelines for the construction of cemeteries and for the eligibility of those who can be buried in the national cemeteries free of charge; and

WHEREAS, between 1867 and the 1970s the act was expanded several times to include honorably discharged members of the Army, Navy, and Marines who died in a destitute condition, soldiers who died on foreign soil, U.S. citizens who served in the armed forces of any country at war with Germany or Austria during World War I, members of the reserve components of the armed forces, and any member of the National Guard; and

WHEREAS, in 1978 the Department of Veterans Affairs created the Veteran Cemetery Grants Program that assisted states, territories, and federally recognized tribal governments in providing gravesites for veterans in those areas where national cemeteries cannot fully satisfy their burial needs; and

WHEREAS, a surviving spouse and dependent or minor child of an eligible veteran or armed forces member also may be buried in a national cemetery at no charge; and

WHEREAS, states, territories, and tribal governments may impose additional requirements more stringent than those required by federal law; and

WHEREAS, the Veterans Administration is authorized to reimburse a “plot allowance” to states for expenses incurred in the burial of certain veterans; and

WHEREAS, the Veterans Administration does not provide reimbursement for the burial of a surviving spouse and dependents or minor children of an eligible veteran not buried in national cemeteries; and

WHEREAS, since 1862 more than 3.8 million burials have taken place at the 133 national cemeteries, 33 soldiers’ government lots, and Confederate lots containing more than 20,000 acres; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Members of the Cook County Board of Commissioners that Cook County shall urge the United States Congress to fund the expenses of burial of spouses and dependents of veterans at cemeteries that are operated by state, territorial, and tribal governments and that receive funds from the Veteran Cemetery Grants Program; and

BE IT FURTHER RESOLVED, that the Cook County Clerk is hereby authorized and directed to forward a certified copy of this resolution to be presented to the members of the Illinois delegation of the U.S. Congress.

A motion was made by Chairman Moore, seconded by Commissioner Tobolski, that this Resolution be recommended for approval. The motion carried by the following vote:

Aye: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski
(7)

16-4198

Sponsored by: STANLEY MOORE, County Commissioner

Part 1 of 2

PROPOSED ORDINANCE AMENDMENT

REPORT OF LOST, STOLEN, DESTROYED OR TRANSFERRED FIREARMS

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 58, Offenses And Miscellaneous Provisions, Article VII, Report Of Lost, Stolen, Destroyed Or Transferred Firearms, various sections within this section of the Cook County Code is hereby amended as Follows:

Sec. 58-185. - Short title.

This article shall be known as the "Report of Lost, Stolen, Destroyed or Transferred Firearms Ordinance of Cook County, Illinois."

Sec. 58-186. - Purpose.

Requiring persons who own or possess firearms within Cook County to promptly report to the Cook County Sheriff the loss, theft, destruction or transfer of firearms will enable Cook County law enforcement agencies or the Sheriff's Office to timely investigate the loss or theft, protect the public and help improve the public health and safety of all persons in Cook County.

Permits a persons who reports to the Cook County Sheriff the loss, theft, destruction or transfer of firearms to submit a copy of that report to the Cook County Recorder of Deeds Office to maintain a permanent record of the loss, stolen, destroyed or transferred firearm.

Sec. 58-187. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

County means the County of Cook.

Firearm means any pistol, revolver, rifle, shotgun, machine gun, handgun, assault weapon or other device that fits within the definition of "firearm" contained in the Illinois Firearm Owners Identification Card Act (430 ILCS 65/1.1 et seq.) or any successor statute.

Local law enforcement agency means any political subdivision of the State or an agency of a political subdivision that exists primarily to deter and detect crime and enforce criminal laws, statutes and ordinances.

Recorder means the Cook County Recorder of Deeds Office.

Sheriff means the Sheriff's Office of Cook County, Illinois.

Sec. 58-188. - Applicability.

This article shall apply to

- (a) Any person residing in Cook County who owns or possesses a firearm; and

Part 1 of 2

(b) Any person who owns or possesses a firearm and resides outside of Cook County who loses, destroys, transfers or suffers a theft of the firearm in Cook County.

(c) This article shall control the reporting of lost, stolen, destroyed or transferred firearms except in home rule municipalities which have a separate municipal ordinance requiring the reporting of transferred, lost, stolen or destroyed firearms provided that such municipalities share such reporting data with the Cook County Sheriff pursuant to an intergovernmental agreement.

Sec. 58-189. - Report of lost, stolen, or destroyed firearms.

(a) Any person residing in Cook County who owns or possesses a firearm that is lost, stolen, destroyed, or is otherwise missing, in addition to any other requirements of this Code, shall notify the Cook County Sheriff's Office in a manner prescribed by the Cook County Sheriff that his or her firearm has been lost, stolen, destroyed, or is otherwise missing within 48 hours of the time he or she knows, or should have known, that his or her firearm has been lost, stolen, destroyed, or is otherwise missing, regardless of the location of where the firearm was lost, stolen, destroyed, or is otherwise missing.

(b) Any person residing in Cook County who owns or possesses a firearm that is lost, stolen, destroyed, or is otherwise missing, in addition to any other requirements of this Code, may notify the Recorder's Office by filing a copy of the report given by a law enforcement agency that his or her firearm has been lost, stolen, destroyed, or is otherwise missing.

~~(b)~~(c) Any person residing outside Cook County who owns or possesses a firearm that is lost, stolen, destroyed, or is otherwise missing, in addition to any other requirements of this Code, shall notify the Cook County Sheriff's Office in a manner prescribed by the Cook County Sheriff that his or her firearm has been lost, stolen, destroyed, or is otherwise missing within 48 hours of the time he or she knows, or should have known, that the firearm has been lost, stolen, destroyed, or is otherwise missing, if the firearm was lost, stolen, destroyed, or is otherwise missing in Cook County.

~~(e)~~(d)

A person reporting a firearm lost, stolen, destroyed, or otherwise missing shall provide the following information:

- (1) Owner name;
- (2) Owner address;
- (3) Owner Firearm Owner's Identification Card number;
- (4) Date of acquisition;
- (5) Place of acquisition;
- (6) Means of acquisition;
- (7) Firearm type;
- (8) Firearm serial number; and
- (9) Date when firearm was lost, stolen, destroyed, or otherwise missing.

Part 1 of 2

Sec. 58-190. - Report of transferred firearms.

(a) Any person residing in Cook County who owns or possesses a firearm, in addition to any other requirements of this Code, shall report the sale, transfer, inheritance, or other disposition of the firearm to the Cook County Sheriff's Office in a manner prescribed by the Cook County Sheriff within 48 hours of the time

when the firearm has been sold, transferred, inherited, or otherwise disposed of, regardless of the location where the sale, transfer, inheritance or other disposition of the firearm has occurred.

(b) Any person residing in Cook County who owns or possesses a firearm may report the sale, transfer, inheritance, or other disposition of the firearm to the Recorder's Office by filing a copy of the documentation recording the sale, transfer, inheritance or other disposition.

~~(b)~~ (c) Any person residing outside of Cook County who owns or possesses a firearm, in addition to any other requirements of this Code, shall report the sale, transfer, inheritance, or other disposition of the firearm to the Cook County Sheriff's Office in a manner prescribed by the Cook County Sheriff within 48 hours of the time when the firearm has been sold, transferred, inherited, or otherwise disposed of, when the sale, transfer, inheritance, or other disposition of the firearm occurs within Cook County.

~~(e)~~ (d) A person reporting the sale, transfer, inheritance, or other disposition of a firearm shall provide the following information:

- (1) Owner name;
- (2) Owner address;
- (3) Owner Firearm Owner's Identification Card number;
- (4) Date of acquisition;
- (5) Place of acquisition;
- (6) Means of acquisition;
- (7) Firearm type;
- (8) Firearm serial number;
- (9) Date of sale, transfer, inheritance or other disposition; and
- (10) The name, address, and Firearm Owner's Identification Card number of the transferee.

Sec. 58-191. - Exempt from reporting requirements.

The reporting provisions in Section 58-189 and Section 58-190 do not apply to the following persons:

- (a) Sworn law enforcement officials while engaged in their official duties; and

Part 1 of 2

(b) Members of the Armed Forces of the United States or the National Guard while engaged in their official duties.

Sec. 58-192. - Violations; penalties.

(a) Any person violating or failing to truthfully comply with any of the reporting provisions in Section 58-189 or Section 58-190 of this article as required by the Cook County Sheriff's Office shall be issued a notice of violation and shall be subject to a mandatory fine of \$1,000.00 for the first violation; \$1,500.00 for the second violation and \$2,000.00 for each subsequent violation in addition to any other fines or penalties applicable from any Federal, State or local laws or ordinances.

(b) If any fine is imposed pursuant to this section, such fine shall constitute a debt due and owing to the County. If the fine is not paid within 30 days after the expiration of the time within which judicial or administrative review of the adverse determination may be sought, or within 30 days after an action seeking review has been resolved in favor of the County, the Sheriff, Director of the Department of Revenue or the State's Attorney may seek to obtain judgment on the debt and enforce such judgment against the person fined.

Sec. 58-193. - Enforcement; rules and regulations.

(a) The Sheriff is authorized to enforce the required provisions of this article.

(b) The Sheriff is authorized to adopt, promulgate and enforce rules and regulations for the implementation of this article and to prescribe all forms and the information required thereon that is not otherwise required in this article.

(c) The Sheriff shall receive, collect and file the reports of the transfer, loss, destruction or theft of firearms and cooperate or make available to law enforcement agencies the reports, for the purpose of investigative efforts.

(d) The Sheriff shall determine whether a person to whom a firearm is transferred has a valid Firearm Owner's Identification Card issued by the Illinois State Police. If the Sheriff determines the transferee does not possess a valid Firearm Owner's Identification Card or the transferee's Firearm Owner's Identification Card has been revoked, the Sheriff shall have the authority to recover the Firearm Owner's Identification Card and any and all firearms under the custody and control of the transferee.

(e) The Sheriff is authorized to cooperate with the state, municipalities, other County agencies and other law enforcement entities to facilitate the implementation of this article.

(f) The Recorder is authorized to adopt, promulgate and enforce rules and regulations for the implementation of this article and to develop a mechanism for ensuring the privacy of this information.

(g) The Recorder is authorized to disseminate this information only to law enforcement agencies as part of a criminal investigation.

Sec. 58-194. - Administrative adjudication.

Any person issued a notice of violation pursuant to this article may request an administrative hearing in

Part 1 of 2

accordance with Chapter 2, Administration, Article IX, Administrative Hearings, of this Code.

Sec. 58-195. - Severability.

If any section, subsection, paragraph, sentence or clause of this article or the application thereof to any person is for any reason deemed to be invalid or unconstitutional, such decision shall not affect, impair or invalidate any remaining section, subsection, paragraph, sentence or clause hereof or the application of this article to any other person.

Secs. 58-196-58-199. - Reserved.

Effective date: This ordinance shall be in effect January 1, 2017

A motion was made by Chairman Moore, seconded by Commissioner Tobolski, that this Ordinance Amendment be recommended for approval. The motion carried by the following vote:

Aye: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski
(7)

16-4199

Sponsored by: STANLEY MOORE, County Commissioner

PROPOSED RESOLUTION

WORKING IN PARTNERSHIP WITH THE COOK COUNTY CHIEF JUDGE'S OFFICE TO CREATE A SPEAKERS BUREAU AS AN EDUCATIONAL TOOL TO PROMOTE THE IMPORTANCE OF CIVIC ENGAGEMENT

WHEREAS, the Sixth Amendment to the United States Constitution provides citizens the right to a speedy and public trial by an impartial jury; and

WHEREAS, court cases have ruled that an impartial jury is selected from a pool of individuals that represent a cross section of the community in regards to race, gender, and national origin; and

WHEREAS, in the American judicial system, the juror is entrusted with protecting the individual rights to life and liberty; and

WHEREAS, jury service teaches an individual the skills needed for analyzing and processing contesting facts, debating issues, listening and tolerating dissenting opinions; and

WHEREAS, a 2007 survey by the National Center for State Courts estimates that 32 million individuals are summoned to service annually, but only 8 million actually show up to serve, and of that amount only 1.5 million are selected to sit on a jury in a state each year; and

WHEREAS, Illinois Public Act 99-0434 amended the Illinois School Code to require students to have at least one semester of civics in order to graduate from high school; and

Part 1 of 2

WHEREAS, this course will allow schools to integrate service projects with the classroom curriculum in enabling students to leverage their knowledge to address community issues; and

WHEREAS, civic education has been used to teach the skills needed to be responsible citizens; and

WHEREAS, civics focuses on providing information on governmental institutions, current and controversial issues, and the importance of the jury to our system of justice; and

WHEREAS, the new graduation requirements took effect as of January 1, 2016; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Members of the Cook County Board of Commissioners that Cook County Commissioner Stanley Moore will work on behalf of the Board in

collaboration with the Office of the Chief Judge of Cook County to create a Speakers Bureau consisting of current and retired members of the bar; and

BE IT FURTHER RESOLVED that the purpose of the Speakers Bureau is to reach out to the students within the 4th District to discuss the importance of citizens performing their civic duty and responding to a summons for jury duty; and

BE IT FURTHER RESOLVED that the Cook County Clerk is hereby authorized and directed to forward a copy of this resolution to Chief Judge Timothy Evans.

A motion was made by Chairman Moore, seconded by Commissioner Butler, that this Resolution be accepted as amendment. The motion carried by the following vote:

Aye: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski
(7)

Sponsored by: STANLEY MOORE, County Commissioner

PROPOSED RESOLUTION

WORKING IN PARTNERSHIP WITH THE COOK COUNTY CHIEF JUDGE'S OFFICE TO CREATE A SPEAKERS BUREAU AS AN EDUCATIONAL TOOL TO PROMOTE THE IMPORTANCE OF CIVIC ENGAGEMENT

WHEREAS, the Sixth Amendment to the United States Constitution provides citizens the right to a speedy and public trial by an impartial jury; and

WHEREAS, court cases have ruled that an impartial jury is selected from a pool of individuals that represent a cross section of the community in regards to race, gender, and national origin; and

WHEREAS, in the American judicial system, the juror is entrusted with protecting the individual rights to life and liberty; and

WHEREAS, jury service teaches an individual the skills needed for analyzing and processing contesting facts,

Part 1 of 2

debating issues, listening and tolerating dissenting opinions; and

WHEREAS, a 2007 survey by the National Center for State Courts estimates that 32 million individuals are summoned to service annually, but only 8 million actually show up to serve, and of that amount only 1.5 million are selected to sit on a jury in a state each year; and

WHEREAS, Illinois Public Act 99-0434 amended the Illinois School Code to require students to have at least one semester of civics in order to graduate from high school; and

WHEREAS, this course will allow schools to integrate service projects with the classroom curriculum in enabling students to leverage their knowledge to address community issues; and

WHEREAS, civic education has been used to teach the skills needed to be responsible citizens; and

WHEREAS, civics focuses on providing information on governmental institutions, current and controversial issues, and the importance of the jury to our system of justice; and

WHEREAS, the new graduation requirements took effect as of January 1, 2016; and

NOW, THEREFORE, BE IT RESOLVED, by the President and Members of the Cook County Board of Commissioners that Cook County Commissioner Stanley Moore will work on behalf of the Board in

collaboration with the Office of the Chief Judge of Cook County to create a Speakers Bureau consisting of current and retired members of the bar; and

BE IT FURTHER RESOLVED that the purpose of the Speakers Bureau is to reach out to the students within the 4th District Cook County to discuss the importance of citizens performing their civic duty and responding to a summons for jury duty; and

BE IT FURTHER RESOLVED that the Cook County Clerk is hereby authorized and directed to forward a copy of this resolution to Chief Judge Timothy Evans.

A motion was made by Chairman Moore, seconded by Commissioner Butler, that this Resolution be approval as amended. The motion carried by the following vote:

Aye: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski
(7)

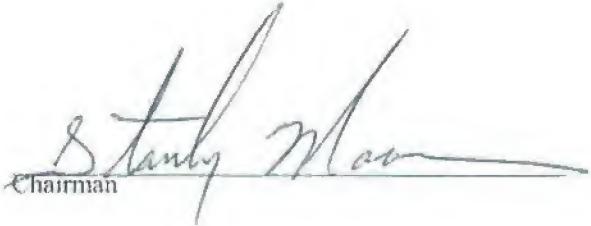
ADJOURNMENT

A motion was made by Chairman Moore, seconded by Commissioner Butler, to adjourn the meeting. The motion carried by the following vote:

Aye: Chairman Moore, Vice Chairman Silvestri, Commissioners Arroyo, Butler, Fritchey, Goslin and Tobolski
(7)

Part 1 of 2

Respectfully submitted,


Chairman


Secretary

*A video recording of this meeting is available at <https://cook-county.legistar.com>